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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/633,604

08/04/2003

Lorenzo Menaldo

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05/24/2006

KEY SAFETY SYSTEMS, INC.
PATENT DEPARTMENT
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EXAMINER

LUONG, VINH

ART UNIT

PAPER NUMBER

3682

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/633,604

Applicant(s)

MENALDO ET AL.

Examiner

Vinh T. Luong

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 16-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


Vinh T. Luong
Primary Examiner

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. The Amendment filed on March 3, 2006 has been entered.
2. Applicant's election of Group I in the reply filed on March 3, 2006 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
3. Claims 16-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 3, 2006.
4. The drawings were received on March 3, 2006. These drawings are accepted by the Examiner.
5. Claims 2 and 3 are objected to because of the following informalities: the claims contain typographical or grammatical errors, *e.g.*, the recitation "the reinforcing fibers being at least 12.0 mm long" in claims 2 and 3 should have been changed to "the reinforcing fibers are at least 12.0 mm long." Appropriate correction is required.
6. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cavalli (US Patent No. 6,524,515 B1 filed on August 31, 1999 cited in the first Office action on January 19, 2006).

Regarding claims 1 and 15, Cavalli teaches a steering wheel/component comprising:

(a) a base 2; and

(b) at least one covering element applied onto said base 2, wherein said covering element comprises:

(i) at least one internal layer 9, 10 comprising a thermoplastic material

(polyester) containing reinforcing fibers (epoxy or melamine resin), and

(i) at least one external decorative layer 11, 12 located on a side of the internal layer 9, 10 distal from said base 2; and

wherein the fibers are at least a certain mm long and in the form of a woven cloth impregnated with the thermoplastic material (melamine or epoxy resin). *Ibid.* col. 3, line 18 through col. 4, line 43, and claims 1-18.

Cavalli teaches the invention substantially as claimed. However, Cavalli does not teach the size/dimension such as the fibers comprises 10% to 80% by weight of the internal layer and are at least 12.0 mm long. Note that Cavalli's reinforcing fibers inherently must comprise a certain percentage by weight of the internal layer and must be at least a certain mm long.

It would have been obvious to one having ordinary skill in the art to change the certain percentage by weight of Cavalli's fibers relative to Cavalli's internal layer as claimed (10% to 80%) and the length of Cavalli's fibers as claimed (at least 12.0 mm long) by routine experimentation in order to prevent thermal expansion of the structure from deforming, warping or detaching as suggested by Cavalli. *Ibid.*, col. 1, line 32 through col. 2, line 46. See MPEP 2144.05 and cases cited therein.

Regarding claim 2, the fibers are in the form of a woven fabric (*i.e.*, commercial woven glass or polyester fiber gauge). *Ibid.* col. 4, lines 38-56.

Regarding claim 3, Cavalli's cloth or fabric claimed in Cavalli's claims 1-18 inherently include a non-woven fabric.

Regarding claims 4 and 5, Cavalli teaches the invention substantially as claimed. However, Cavalli does not teach the size/proportion such as the fibers is within the range of

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20% to 60% by weight of the internal layer. Note that Cavalli's reinforcing fibers inherently must be a certain percentage by weight of the internal layer.

It would have been obvious to one having ordinary skill in the art to change the certain percentage by weight of Cavalli's fibers relative to Cavalli's internal layer as claimed (20% to 60%) by routine experimentation in order to prevent thermal expansion of the structure from deforming, warping or detaching as suggested by Cavalli. *Ibid.*, col. 1, line 32 through col. 2, line 46. See MPEP 2144.05 and cases cited therein.

Regarding claim 6, Cavalli's weight of the internal layer 9, 10 inherently must be within a certain range. See col. 5, lines 31-37. It would have been obvious to one having ordinary skill in the art to change the certain range of Cavalli's weight of the internal layer as claimed (500 to 3000 g/m²) by routine experimentation in order to prevent thermal expansion of the structure from deforming, warping or detaching as suggested by Cavalli. *Ibid.*, col. 1, line 32 through col. 2, line 46. See MPEP 2144.05 and cases cited therein.

Regarding claim 7, Cavalli's thermoplastic material of the internal layer is polyester. *Ibid.*, col. 3, lines 18-24.

Regarding 8 and 9, Cavalli's fibers located in the thermoplastic material of the internal layer are resin. *Ibid.*, col. 3, lines 18-24, and claims 1-18.

Regarding 10-13, Cavalli's external layer 1 comprises wood (veneer). *Ibid.* col. 3, lines 43-49 and claims 11 and 12.

Regarding claim 14, Cavalli teaches a steering wheel comprising: (a) a base 2; (b) at least one internal layer 9, 10 adhered directly to the base 2 and comprising a thermoplastic material containing reinforcing fibers; and (c) an external layer 11, 12 comprising wood located on a side

of the internal layer 9, 10 distal from said base 2; wherein the fibers are at least a certain mm long and in the form of a woven fabric impregnated with the thermoplastic.

Cavalli teaches the invention substantially as claimed. However, Cavalli does not teach the size/dimension such as the fibers are at least 12.0 mm long. Note that Cavalli's reinforcing fibers inherently must be at least a certain mm long.

It would have been obvious to one having ordinary skill in the art to change the certain length of Cavalli's fibers as claimed (at least 12.0 mm long) by routine experimentation in order to prevent thermal expansion of the structure from deforming, warping or detaching as suggested by Cavalli. *Ibid.*, col. 1, line 32 through col. 2, line 46. See MPEP 2144.05 and cases cited therein.

7. Applicant's arguments filed March 3, 2006 have been fully considered but they are not persuasive.

The previous rejections are withdrawn in view of Applicant's amendment. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vinh T. Luong whose telephone number is 571-272-7109. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on 571-272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Luong

May 22, 2006



Vinh T. Luong
Primary Examiner